

REMARKS

Claims 1 to 11 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1 to 10 were rejected under 35 U.S.C. §101 because the claimed invention was found to be directed to non-statutory subject matter. Claims 1 to 11 were rejected under 35 U.S.C. §102(b) as being anticipated by Lechnitz et al. (US 6,142,463).

Claims 1, 2, 3, 4, 5, 6, 8 and 10 have been amended. Claim 9 has been canceled.

Reconsideration of the application based on the following is respectfully requested

Rejection under 35 U.S.C. §112

Claims 1 to 11 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The pending claims except claims 7 and 11 have been amended to overcome the objections listed in the Office Action.

Claim 7 is respectfully submitted as being in proper method format. In addition, the claim language is respectfully submitted as definite and clear, and the objection seems to be one of enablement not clarity. One possible compensation method is clearly disclosed and enabled for example in paragraph [0014].

With respect to claim 11, it is respectfully that the start signal can be received from either the main pile controller or the higher level machine controller, and this alternative language is proper. See MPEP 2173.05(h).

Withdrawal of the rejections under 35 U.S.C. §112 is respectfully requested.

Rejections under 35 U.S.C. §101

Claims 1 to 10 were rejected under 35 U.S.C. §101 because the claimed invention was found to be directed to non-statutory subject matter.

Claim 1 has been rewritten to recite method steps and is respectfully submitted to comply with 35 U.S.C. § 101.

Withdrawal of the rejection under 35 U.S.C. §101 is respectfully requested.

Rejections under 35 U.S.C. §102(b)

Claims 1 to 11 were rejected under 35 U.S.C. §102(b) as being anticipated by Leichnetz et al. (US 6,142,463).

Leichnetz discloses a “lifting system for an automatic pile changing device of a sheet-processing machine” (see, e.g. Leichnetz, claim 1, column 5, lines 43, 44) where the control unit 14 provides a common control signal to the first and second drive units 12 and 13. One drive unit 12 is associated to the motor 7 and another drive unit 13 is associated to the motor 11 (see, e.g. claim 1, see, e.g. column 4, lines 36 to 41, see, e.g. Fig. 1). Leichnetz further discloses that “...at least one of the drive units including a conversion means for converting the common control signal into a switch-on signal having frequency and duration attributes...” (see, e.g. claim 1, column 5, line 52 to 55).

Leichnetz however not disclose a “start signal simultaneously initiating a movement of the main pile” and the auxiliary pile (see, e.g. claims 1 and 11, specification at paragraph [0023] of present application).

The Leichnetz control signal does not attempt or desire to have the same initiation of movement between the main pile and the auxiliary pile, but rather affects frequency and duration attributes. According to Leichnetz, its control signal, further comprising an identical switch-on time, switches drive 11 and drive 7 on for an equal duration of time (see, e.g. column 5, lines 10 to 16). However, Leichnetz discloses a control signal *that intentionally has a time lag in switching drive units 12 and 13 on*, resulting in the auxiliary pile carrying assembly 3 with a time lag from main pile-carrying assembly 19 (see, e.g. Fig. 2, column 5, lines 22 to 27). Leichnetz thus does not disclose a main pile and an auxiliary pile starting at the same time as is disclosed in claims 1 and 11 of the present invention.

Withdrawal of the rejections under 35 U.S.C. §102(b) to claims 1 to 11 and their dependent claims thus is respectfully requested.

CONCLUSION

The present application is respectfully submitted as being in condition for allowance and applicants respectfully request such action.

Respectfully submitted,

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